

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SIDNEY CHARLES RANDALL, ) CASE NO. C06-0798-JCC-MAT  
Plaintiff, )  
v. ) ORDER DENYING PLAINTIFF'S  
T. LARSON, ) MOTION TO COMPEL DISCOVERY;  
Defendant. ) GRANTING PLAINTIFF'S MOTION  
 ) FOR EXTENSION OF TIME  
 )

Plaintiff, proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983, has filed a “second motion to compel discovery from defendant” and a request for an extension of time. (Dkt. #48). Defendant has not filed a response to the motion. (Dkt. #40). Having reviewed plaintiff’s motion and the balance of the record, the Court does hereby find and ORDER as follows:

(1) On March 2, 2007, the Court granted plaintiff's first motion to compel discovery from defendant and directed defendant to respond to certain discovery requests from plaintiff. (Dkt. #43). It appears that defendant complied with this Order, as plaintiff, in his current motion, states that he received the responses from defendant on March 13, 2007. (Dkt. #48 at 2). However, plaintiff asserts now that one of the responses has prompted the need for further information. Specifically, plaintiff states that he would like defendant "to produce all documents

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01 that support and outline the policies" regarding permitting inmates who have had their water shut  
02 off, to use a bathroom and obtain drinking water outside their cell. (*Id.*)

03 Plaintiff's motion to compel is premature. It does not appear that plaintiff has asked  
04 defendant to provide this information; if he has, and defendant has refused to provide the  
05 requested documents, it does not appear that plaintiff has attempted to resolve this matter without  
06 court intervention, as required by Local Rule CR 37(a)(2)(A) ("A good faith effort to confer with  
07 a party or person not making a disclosure or discovery requires a face-to-face meeting or a  
08 telephonic conference."). Accordingly, plaintiff's motion to compel discovery (Dkt. #48) is  
09 DENIED without prejudice to plaintiff refiling the motion, if necessary, at a later point.

10 (2) Although the Court has already granted plaintiff two extensions of time, due to the  
11 circumstances described above and plaintiff's status as an incarcerated *pro se* litigant, the Court  
12 will accommodate his request for a further extension of time. Accordingly, plaintiff's motion for  
13 an extension of time to complete discovery in this case (Dkt. #48) is GRANTED. The following  
14 new deadlines shall apply: Discovery shall be completed by **June 16, 2007**. Dispositive motions  
15 shall be filed by **July 17, 2007**. The parties shall file a Joint Pretrial Statement by **September 18,**  
16 **2007. No further extensions will be granted absent extraordinary circumstances.**

17 (3) The Clerk is directed to send copies of this Order to plaintiff, to counsel for  
18 defendant, and to the Honorable John C. Coughenour.

19 DATED this 17th day of April, 2007.

20   
21 \_\_\_\_\_  
22 Mary Alice Theiler  
United States Magistrate Judge

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